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Patent

Attorney's Docket No. MA3005-0031

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Ryota SUGIMOTO

Application No.: 09/870,672

Filed: June 1, 2001

For: **IMPLANTABLE TUBULAR DEVICE**

)
) **MAIL STOP AF**
)
) Group Art Unit: 3764
)
) Examiner: F. Mathew
)
) Confirmation No.: 8651
)

Commissioner for Patents
MAIL STOP AF
 Alexandria, Virginia 22313

Sir:

PETITION FOR EXTENSION OF TIME

Applicant petitions for an extension of time, the fees for which are set out in 37 CFR §1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 430.00	\$215.00
<input type="checkbox"/> three months	\$ 980.00	\$490.00
<input type="checkbox"/> four months	\$1,530.00	\$765.00

Extension of time fee due with this request: **\$ 110.00**

If an additional extension of time is required, please consider this a Petition therefor.

Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-2821. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

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Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	23	Minus	35	0	x \$18 each=	+ \$0
Independent Claims (37 C.F.R. §1.16(b))	3	Minus	4	0	x \$88 each=	+ \$0
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$300.00	+ \$ 0
Fee for One Month Extension of Time =						\$110
RCE Fee under 37 C.F.R. 1.17(e)						\$790
TOTAL FEE =						\$ 900

Fee Payment

- [X] The Commissioner is authorized to receive full payment of \$900 from Applicant's representative's credit account for which a form PTO-2038 is attached.
- [X] The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-2821. **Please note that Applicant's Representative's Deposit Account Number has changed – the new Deposit Account Number is 50-2821.**

Dated: November 8, 2004

CERMAK & KENEALY LLP
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 CUSTOMER NO. 39083

Respectfully submitted,
 CERMAK & KENEALY LLP

By: 

David J. Kenealy
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